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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS A. ACEVEDO GARCIA, et al.,

Plaintiffs

vs.

HON. ROBERTO VERA MONROIG, et al.,

Defendants

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CIVIL NO. 97-2639 (JP)

O R D E R

SEVERANCE OF ACTIONS

This litigation is complex as it encompasses a total of 82 Plaintiffs with varying claims. Therefore, in the interest of justice, the Court, pursuant to Rule 42(b) of the Federal Rules of Civil Procedure hereby **SEVER**s this jury trial into four separate trials which will be heard by four separate jury panels. See González-Martín v. Equitable Life Assur. Soc., 845 F.2d 1120, 1145 (1st Cir. 1988); In re: San Juan Dupont Plaza Fire Litigation, Pretrial Order No. 133, docket No. 7403, December 21st, 1988. Severance divides a lawsuit into two or more independent causes, each of which terminates in separate, final and enforceable judgments. Severance under these circumstances is necessary and proper in this case because it 1) aids in this Court's case management schedule and 2) reduces the high probability of jury confusion thereby aiding in the jury's understanding of the case. It is not practical or just to subject one jury panel to a trial in which 82 Plaintiffs with

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varying claims will be testifying. The trial in this case is projected to last for approximately three (3) months. No single jury panel would be able to remember all of the testimony and evidence or be able to reach a fair and impartial verdict at the end of that time. It is the opinion of this Court that severance will most likely result in a just final disposition of this litigation. Accordingly, the following is hereby **ORDERED**:

1. The case **SHALL** be heard by four (4) separate jury panels. Therefore, the parties shall each make four opening statements, four cases in chief, four closings, etc.
2. The first three jury panels **SHALL** hear the testimony of twenty (20) Plaintiffs to be divided as follows - 8 Plaintiffs who have claims for political harassment and political discrimination for dismissal and 12 Plaintiffs who have claims for only political discrimination for dismissal. Of the 8 Plaintiffs who have claims for political harassment, Plaintiffs' attorney **SHALL** select 4 and Defendants' Attorney **SHALL** select 4. Of the 12 Plaintiffs who have claims for only political discrimination for dismissal, Plaintiffs' attorney **SHALL** select 6 Plaintiffs and Defendants' attorney **SHALL** select 6 Plaintiffs.
3. The final jury panel, shall hear the testimony of the remaining 22 Plaintiffs.
4. Each Judgment entered at the end of each of these four trials **SHALL** be final and appealable and published and subject to all motions provided by the

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Federal Rules of Civil Procedure, such as "new trial", "judgment notwithstanding the verdict", etc.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 11th day of October, 2001.



JAIME PIERAS, JR.
SENIOR U.S. DISTRICT JUDGE